

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

Docket No. 1:20CV10682-IT

GIBSON FOUNDATION, INC., *
A Delaware Corporation, *
Plaintiff, *

v. *
*

ROB NORRIS D/B/A THE PIANO *
MILL, a Citizen of Massachusetts, *
THE PIANO MILL GROUP, LLC, *
Defendant/Plaintiff in Counterclaim *

**DEFENDANT AND PLAINTIFF IN COUNTERCLAIM, ROB NORRIS d/b/a THE
PIANO MILL, A CITIZEN OF MASSACHUSETTS, THE PIANO MILL GROUP, LLC'S
PRE-TRIAL DISCLOSURE**

Now comes the Defendant, Plaintiff in Counterclaim, Rob Norris, d/b/a The Piano Mill, a
Citizen of Massachusetts, The Piano Mill Group, LLC, by counsel, and pursuant to Fed. R. Civ.
P. 26(a)(3)(A) provides the following information as pre-trial disclosure:

A. Witnesses:

Robert Norris	Expected to be present.
295 Centre Avenue	
Rockland, MA 02370	

It is expected that Robert Norris, both individually and as a principal of The Piano
Mill/The Piano Mill Group, LLC, will testify concerning his acquisition of the subject piano in
July of 2011 and the facts surrounding the pianos transportation and delivery to Massachusetts.
Robert Norris will testify that he was informed that the piano was “all his” if he removed it from
the Hammerstein Ballroom in New York. He will further testify that his moving crew picked up

the subject piano in New York at which time no documents were provided nor contemplated regarding the subject piano. It is expected that Robert Norris will testify that it was almost four years later, during June of 2015, when Gibson Brands, Inc., made a demand for the return of the subject piano. In response, during June of 2015, counsel on behalf of Robert Norris refused to return the subject piano. Robert Norris is also expected to testify that the threatened a lawsuit, and provided documentation of the same, in the Federal District Court of Massachusetts, however, on December 11, 2019 filed a lawsuit in the Federal District Court of Tennessee causing unwarranted damage to the defendant/plaintiff in counterclaim. It is also expected that Robert Norris will testify that he was given the subject piano with no restrictions nor qualifications.

Russell Delorey
8 Avon Drive
Sandwich, MA 02563
(508) 737-5150

Expected to be present.

It is expected that Russell Delorey will testify to the underlying facts of the physical retrieval and transportation of the subject piano to Robert Norris in Massachusetts.

Cesar Gueikian
Brand President
Gibson Brands
Cummins Station
209 10th Avenue South
Nashville, TN 37203

Expected to be present.
Expected testimony as adverse witness.
Expected testimony to be consistent
with deposition transcript of said witness.

Patrick Jason Davidson
Director of Customer Service
Director of Product Development
Gibson Brands
Cummins Station
209 10th Avenue South
Nashville, TN 37203

Expected to be present.
Expected testimony as adverse witness.
Expected testimony to be consistent
with deposition transcript of said witness.

James Sasso
Roger's Piano

Expected to be present.
Expected to testify consistent with his

12 Worcester Street
Natick, MA 01760

written appraisal of the subject piano

B. It is expected at this time that all witnesses will be present at Trial. The Defendant/Plaintiff in Counterclaim reserves the right to amend and supplement this disclosure.

C. Trial Exhibits:

- Exhibit No. 47: Emails between Rob Norris and Tom Dorn dated June 20, 2011;
- Exhibit No. 48: Email from Jim Felber to Mr. Hardgroove dated June 28, 2011; **CONFIDENTIAL** (Plaintiff's Designation)
- Exhibit No. 49: Email from Mr. Hardgroove to Robert Carvell dated July 1, 2011; **CONFIDENTIAL** (Plaintiff's Designation)
- Exhibit No. 50: Email from Rob Norris to Tom Dorn dated July 14, 2011;
- Exhibit No. 51: Emails between Tom Dorn and Rob Norris dated February 11, 2015 to February 12, 2015;
- Exhibit No. 52: Emails between Rob Norris to Tom Dorn dated March 13, 2015 and March 17, 2015; **CONFIDENTIAL** (Plaintiff's Designation)
- Exhibit No. 53: Email from Bruce Mitchell to Piano Mill dated June 8, 2015;
- Exhibit No. 54: Correspondence from Philip R. Schatz to Bruce Mitchell dated 6/26/15;
- Exhibit No. 55: Letter from Attorney Andrea E. Bates to Attorney Philip R. Schatz dated April 29, 2019, with copy of Complaint to be filed in the United States District Court District of Massachusetts;
- Exhibit No. 56: Bill of Sale dated 11/11/19; **CONFIDENTIAL** (Plaintiff's Designation)

- Exhibit No. 57: Summons and Complaint with Exhibits served on Rob Norris d/b/a The Piano Mill by Gibson Foundation, Inc., filed in the United States District Court for the Middle District of Tennessee, Nashville Division dated 12/16/19;
- Exhibit No. 58: Statements of legal fees and bills incurred in connection with the litigation filed in the Middle District of Tennessee which are the subject of the plaintiff in counterclaim's calculations of damages relating to the Count for Abuse of Process
Bill from the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC in Chattanooga, TN dated April 24, 2020 in the amount of \$29,874.60
- Exhibit No. 59: Plaintiff Gibson Foundation, Inc.'s Initial Disclosure dated 5/28/20;
- Exhibit No. 60: Defendants' Answer to the Plaintiff's First Amended Complaint and Verified Counterclaim dated 10/7/20;
- Exhibit No. 61: Plaintiff's Response and Objections to Defendant's First Set of Interrogatories dated 1/8/21;
- Exhibit No. 62: Plaintiff's Responses to Defendants' First Set of Requests for Admissions dated 1/8/21;
- Exhibit No. 63: Appraisal from Roger's Piano of the Baldwin SD10B Piano date 8/4/21; **CONFIDENTIAL** (Plaintiff's Designation)
- Exhibit No. 64: Plaintiff Gibson Foundation, Inc.'s Updated Supplemental Initial Disclosures dated 10/14/21;

Respectfully submitted,
For the Defendants, Rob Norris d/b/a
The Piano Mill and The Piano Mill Group, LLC

/s/ Daniel J. Gibson
DANIEL J. GIBSON, ESQ.
BBO#: 550661
SKB, Attorneys
1140 Washington Street
Hanover, MA 02339
Tel.: (781) 829-9993
djg@skb-law.com

Dated: September 13, 2022

CERTIFICATE OF SERVICE

I, Daniel J. Gibson, hereby certify that on this 13th day of September 2022, the following document:

- Defendants and Plaintiff in Counterclaim, Rob Norris d/b/a The Piano Mill a Citizen of Massachusetts and The Piano Mill Group, LLC's Pre-Trial Disclosure

was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Daniel J. Gibson

Daniel J. Gibson, Esq.

BBO #: 550661

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